

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|-----------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 4:09CR3111 |
| |) | |
| v. |) | |
| |) | |
| HECTOR N. CERVANTES RIVERA, |) | TENTATIVE FINDINGS ON |
| |) | PRESENTENCE INVESTIGATION |
| Defendant. |) | REPORT |
| _____ |) | |

No objections having been filed to the Presentence Investigation Report, I tentatively find that that Presentence Investigation Report is true and accurate. Objection to the tentative findings may be made at the time of the sentencing hearing, but no evidence shall be permitted regarding any objection.

The defendant's Motion for Variance shall be heard orally at the time of the sentencing hearing. The total offense level is 36, the criminal history category is II, with a Guideline imprisonment range of 210 to 262 months. Evidence may be offered as to the Motion for Variance.

Dated June 22, 2010.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge